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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

PEDRO DUARTE SANCHEZ ET AL,

Defendants.

CASE NO. 1:22-CR-00305-JLT-SKO

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
ORDER

DATE: August 30, 2023
TIME: 1:00 p.m.
COURT: Hon. Sheila K. Oberto

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status conference on August 30, 2023.
2. By this stipulation, defendants now move to continue the status conference until November 15, 2023, and to exclude time between August 30, 2023, and November 15, 2023, under 18 U.S.C. § 3161(h)(7)(A), B(iv).
3. The parties agree and stipulate, and request that the Court find the following:
 - a) The government has represented that the discovery associated with this case includes body-worn camera, investigative reports, photographs, aerial surveillance video, audio records, and other evidence. All of this discovery has been either produced directly to counsel and/or made available for inspection and copying. In addition, the government has confidential

1 discovery that it has made available to defense at the government's office.

2 b) Counsel for defendants desires additional time to meet with their clients, conduct
3 independent investigation, review the discovery (including visiting the government's office to
4 review the confidential discovery), and consider a pretrial resolution of the case. In the case of
5 Mr. Sanchez, a plea offer has been made and defense needs additional time to finalize the plea
6 agreement and meet with his client.

7 c) Counsel for defendants believe that failure to grant the above-requested
8 continuance would deny him/her the reasonable time necessary for effective preparation, taking
9 into account the exercise of due diligence.

10 d) The government does not object to the continuance.

11 e) Based on the above-stated findings, the ends of justice served by continuing the
12 case as requested outweigh the interest of the public and the defendant in a trial within the
13 original date prescribed by the Speedy Trial Act.

14 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
15 et seq., within which trial must commence, the time period of August 30, 2023 to November 15,
16 2023, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) because it
17 results from a continuance granted by the Court at defendant's request on the basis of the Court's
18 finding that the ends of justice served by taking such action outweigh the best interest of the
19 public and the defendant in a speedy trial.

20 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
21 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
22 must commence.

23 IT IS SO STIPULATED.
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1 Dated: August 14, 2023

PHILLIP A. TALBERT
United States Attorney

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3 /s/ JUSTIN J. GILIO
JUSTIN J. GILIO
Assistant United States Attorney

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5 Dated: August 14, 2023

/s/ Michael Garey
Michael Garey
Counsel for Defendant
PEDRO DUARTE SANCHEZ

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9 Dated: August 14, 2023

/s/ Ryan Roth
Ryan Roth
Counsel for Defendant
VANESSA ARAUZA

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13 **ORDER**

14 The parties shall be prepared to select a mutually agreeable trial date at the next status
15 conference.

16 IT IS SO ORDERED.

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18 DATED: 8/25/2023

19 Sheila K. Oberto
20 THE HONORABLE SHEILA K. OBERTO
UNITED STATES DISTRICT JUDGE